

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

UNITED STATES OF AMERICA

v.

DONNELL SUMMERSETT

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CR 696-004-01

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O R D E R

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Before the Court in the captioned case is Defendant Donnell Summersett's "Motion for Termination of Fine."

On October 8, 1996, Defendant was sentenced to life imprisonment on each of Counts 1 (conspiracy to possess with intent to distribute and to distribute cocaine and cocaine base) and 4 (possession with intent to distribute cocaine base) and 480 months on each of Counts 2 and 3 (distribution of cocaine base), to be served concurrently and five years of supervised release on each count, to be served concurrently.<sup>1</sup> Defendant was also assessed a \$200 special assessment and a \$25,000 fine.

In his motion, Defendant cites to 18 U.S.C. § 3613 and points out that twenty years have elapsed since the imposition of his sentence; thus, Defendant moves to have his fine terminated. Section 3613(b) does provide for the termination

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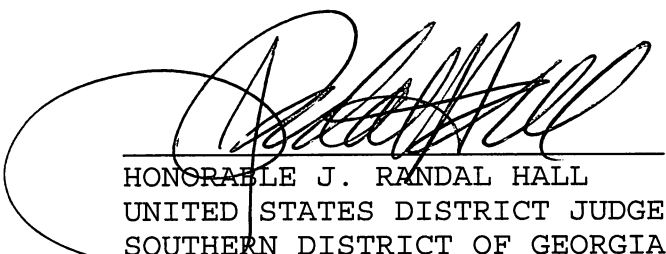
<sup>1</sup> Defendant received a subsequent reduction of sentence.

of liability to pay a fine, stating: "The liability to pay a fine shall terminate the later of 20 years from the entry of judgment or 20 years after the release from imprisonment of the person fined, or upon the death of the individual fined."

In this case, Defendant has not been released from prison. Accordingly, the twenty-year term of liability on his fine has not even begun and will not do so until he is released from imprisonment.

Upon the foregoing, Defendant's motion to terminate his fine (doc. 1129) is **DENIED**.

ORDER ENTERED at Augusta, Georgia, this 9th day of January, 2017.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA